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**AUG 31 2006**

**OFFICE OF PETITIONS**

In re Application of  
DURDON  
Application No.: 10/694,852  
Filed: October 29, 2003  
Attorney Docket No.: 2077-42

**DECISION ON PETITION**

**UNDER 37 CFR 1.137(b)**

This is a decision on the petition under 37 CFR 1.137(b), filed February 10, 2006, to revive the above-identified application.

The petition is **GRANTED**.

The above-identified application became abandoned for failure to reply within the meaning of 37 CFR 1.113 in a timely manner to the final Office action mailed May 31, 2005, which set a shortened statutory period for reply of three (3) months. No extensions of time under the provisions of 37 CFR 1.136(a) were obtained and a Notice of Appeal was not filed. Accordingly, by operation of law, the above-identified application became abandoned on September 1, 2005.

The petition satisfies the conditions for revival pursuant to the provisions of 37 CFR 1.137(b) in that (1) the reply in the form of a Request for Continued Examination (RCE); (2) the petition fee; (3) the required statement of unintentional delay have been received. Accordingly, the reply to the final Office action of May 31, 2005 is accepted as having been unintentionally delayed.

The application is being referred to Technology Center AU 3727.

Telephone inquiries concerning this decision should be directed to the undersigned.

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